

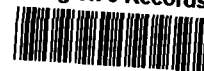


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



210227

May 7, 2004

REPLY TO THE ATTENTION OF:

C-14J

VIA CERTIFIED MAIL

Mr. Robert Schultz
Attorney-at-Law
Schultz & Little
640 Cepi Drive, Suite A
Chesterfield, MO 63005

Re: Access Order to Rogers Cartage in Sauget, Illinois

Dear Mr. Schultz:

Enclosed please find an Administrative Order for Access to the property owned by Rogers Cartage located in Sauget, Illinois. The U.S. Environmental Protection Agency ("U.S. EPA") and/or its representative (Monsanto and Solutia) plan to conduct sampling and investigation activities at this property because the Agency has determined that the information that can be gathered from such site is relevant to the investigation of the actual or potential threat of exposure of hazardous substances to human health and the environment in Sauget Area One. For this reason, U.S. EPA personnel or personnel of its representative, need access to the above property.

Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601, et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) ("CERCLA", as amended), gives the U.S. EPA and its representatives the authority to enter any property for the purpose of taking response actions to address the release or threatened release of hazardous substances, pollutants, or contaminants. Although U.S. EPA personnel may enter property without an owner's consent when entry is necessary to respond to a release or threatened release, it is U.S. EPA's practice to seek the owner's consent before entry onto the property. In this case, representatives of Monsanto and Solutia have been unable to obtain the Rogers Cartage's consent to enter its property.

Therefore, U.S. EPA is issuing to you the enclosed "Administrative Order Directing Compliance with Request for Access." Please read the Order carefully and comply with its requirements. Note that within 3 day of your receipt of this Order, you must notify U.S. EPA of your intent to comply fully or not comply with the Order. You may submit written comments on this Order and, per your request, a conference may be held within 5 days of your receipt of this Order. In any case, the Order will become effective 5 days after its receipt.

The notice of your intent to comply, as well as any comments you may have, should be sent or faxed to me at the following address or number:

Thomas J. Martin
Office of Regional Counsel
U.S. Environmental Protection Agency
77 W. Jackson Blvd. (C-14J)

The notice of your intent to comply, as well as any comments you may have, should be sent or faxed to me at the following address or number:

Thomas J. Martin
Office of Regional Counsel
U.S. Environmental Protection Agency
77 W. Jackson Blvd. (C-14J)
Chicago, IL 60604
Fax: (312) 886-7160

If you have any questions, please call me at (312) 886-4273. I appreciate your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'TJM', with a stylized flourish at the end.

Thomas J. Martin
Associate Regional Counsel

Enclosure

cc: Rogers Cartage Company
Chicago, IL

bcc: Linda Tape (via overnight: w/attachment)
Kevin.Turner (Marion office) (w/attachment)
Nabil Fayoumi (Superfund) (w/o attachment)